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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/370,696	08/09/1999	SIMON H. LIGHTBODY	6270/26	8394

757 7590 12/06/2001

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EXAMINER

EDWARDS JR, TIMOTHY

ART UNIT	PAPER NUMBER
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2635

DATE MAILED: 12/06/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

BW

Office Action Summary

Application No.

09/370,696

Applicant(s)

LIGHTBODY ET AL.

Examiner

Timothy Edwards

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 and 30-51 is/are rejected.
- 7) ☒ Claim(s) 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Applicant is again reminded to up-date status of co-pending applications 09/370,317; 09/371,883; 09/370,695; 09/370,863; 09/369,870; and 09/370,757 (status should indicate if the application is pending, abandon or cite patent number).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 10,11,12,14-16,31,32,40,41 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Examiner cannot find language in the specification to support 'the second circuit comprises at least one relay'. With respect to claims 12,32,41 examiner cannot find language in the specification to support 'the second electrical circuit carries a second signal between 4mA to 20mA'.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1,2,8,9,13,17,19-22,24,26,27,33-35,37-39,45-51, are rejected under 35 U.S.C. 102(e) as being anticipated by Lightbody et al [US 6,000,034].

Considering claims 1,26 and 38 Lightbody et al discloses a) a revenue meter for measuring electrical energy (see col 5, lines 11-47, fig 1, item 10); b) an interface link (see fig 1 items 22 and 73); c) an I/O device (see col 4, lines 29-32, fig 1, items 20,72 and 74); d) I/O device connected to a second circuit (see col 4, lines 32-36).

Considering claims 2,27,39,45 Lightbody et al discloses the limitation of this claim in col 9, lines 21-24.

Considering claims 8,47 Lightbody et al discloses a) an I/O device for use with a revenue meter (see fig 1, items 20,74,72); b) the revenue meter measuring the delivery of electrical energy to a consumer (see col 2, lines 44-48 and fig 1, items 10 and 52); c) I/O device comprising a connector for interfacing with the revenue meter (see fig 1, items 23 and 70); d) I/O device is physically separated from the revenue meter (see fig 1 and 2); e) a microprocessor operative to process and communicate at least one I/O signal (see col 9, lines 21-24).

Considering claims 9,13,19,20 Lightbody discloses the limitation of this claim in col 12, line 31 to col 13, line 5.

Considering claim 17, Lightbody et al discloses the limitation of this claim in col 6, lines 56-59.

Considering claim 21, Lightbody discloses the limitation of this claim in fig 2, items 72 and 70.

Considering claims 22,33 Lightbody discloses the limitation of this claim in col 5, lines 1-10 and fig 5, items 136 and 137.

Considering claim 24, Lightbody discloses the limitation of this claim in col 15, lines 43-47.

Considering claim 34, Lightbody discloses the limitation of this claim in fig 2, items 20 and 30-38.

Considering claim 35, Lightbody et al discloses the limitation of this claim in fig 2, item 16.

Considering claim 37, Lightbody et al discloses the limitation of this claim in fig 1, items 20,74,72.

Considering claim 46, Lightbody et al discloses the limitation of this claim in col 6, lines 42-48.

Considering claim 48, Lightbody et al discloses the limitation of this claim in fig 1, items 70 and 23.

Considering claim 49, Lightbody et al discloses the limitation of this claim in fig 1, items 20, 72 and 74.

Considering claim 50, Lightbody et al discloses the limitation of this claim in col 5, lines 1-10 and col 6, line 66 to col 7, line 7.

Considering claim 51, Lightbody et al discloses the limitation of this claim in fig 5, items 136 and 137.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 12, 18, 25, 28, 32, 36, 41, 42, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lightbody et al.

Considering claims 3,18,28,42,44 the I/O device is powered by the revenue meter is not specifically recited by Lightbody. However, one of ordinary skill in the art would readily recognize the need for a power source for an I/O device, which is in communication with another electronic device. Therefore, it would have been obvious to one of ordinary skill in the art to use an available power source, a battery or any type of power source because a power source is inherently needed in the device.

Considering claims 12,32,41 Lightbody et al does not specifically recite a second electric circuit carries a second signal comprising 4mA to 20mA. However, in col 5, lines 1-10 and col 6, line 66 to col 7, line 7 Lightbody et al discloses the sending and receiving of information from an I/O devices over a serial communication bus. Therefore, it would have been obvious to one of ordinary skill in the art to modify the serial bus of Lightbody et al to include a 4mA to 20mA signal because Lightbody et al discloses the desire to transmit and receive data via serial bus. The use of 4mA to 20mA signal is well known in the art.

Considering claim 25, Lightbody et al does not specifically recite error detection using cyclic redundancy check. However, in col 15, lines 41-47 Lightbody et al disclose error checking displayed data. Therefore, it would have been obvious to one of ordinary skill in the art to use a type of data checking which is known in the art because Lightbody et al suggest the use of error checking of data.

Considering claim 36, Lightbody et al does not specifically recite an expandable interface link. However, in col 5, lines 1-10 and col 6, line 66 to col 7, line 7 Lightbody et al addresses the connection of the revenue meter to several devices and the use of appropriate cable for these connections. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Lightbody et al system to enable this system for future expansion because Lightbody et al addresses the use of several I/O devices.

Claims 4-7,23,30,43, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lightbody et al and further in view of Power Measurement ION 8500 (Direct Access Billing Meter, Quick Facts Sheet) submitted IDS.

Considering claims 4,23,30,43 revenue meter timestamps one input of the I/O device is not specifically recited by Lightbody. However, events in col 14, lines 49-61 Lightbody disclose the logging of events and in fig 5, a real time clock. Power Measurement (Direct Access Billing Meter, Quick Facts Sheet) teaches a revenue meter having means to log set up changes in the meter and event logging and timestamp the sequence-of-events. Therefore, it would have been obvious to one of ordinary skill in the art to use timestamping of event data as taught by Power Measurement because Lightbody discloses the desire to record the modification of meter values and parameters.

Considering claims 5-7, a bayonet terminal revenue meter mateable with matching jaws of a detachable meter mounting device and a draw out meter enclosure is not specifically recited by Lightbody. However, applicant admits in figs 1-3 and pages 8-10 of his specification this type of meter is well known in the art. Obvious to use a meter which is available off the shelf produced by ION 8500 or other mention manufactures.

Allowable Subject Matter

Claim 29 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: prior art does not suggest or teach 'the processor of the revenue meter operative to control the application of power to the I/O device'.

1. Any inquiry concerning this communication should be directed to Examiner Timothy Edwards at telephone number (703) 305-4896. The examiner can normally be reached on Tuesday-Friday, 8:30 a.m.-4:00 p.m. The examiner cannot be reached on Mondays.

If attempt to reach the examinee by telephone are unsuccessful, the examiner's supervisor, Michael Horabik, can be reached on (703) 305-4704.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700, Mon-Fri., 8:30 a.m.-5:00 p.m.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or fax to:

(703), 872-9314 (for formal communications intended for entry)

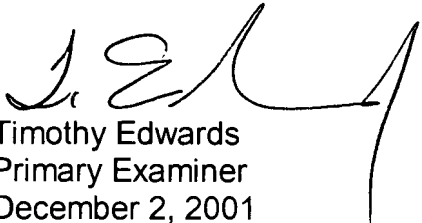
Or:

(for informal or draft communications, please label "PROPOSED"

or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).


Timothy Edwards
Primary Examiner
December 2, 2001